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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,066	10/09/2001	Jeff Powell	2001P07471US01	6634

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SIEMENS CORPORATION  
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EXAMINER

PHAM, MINH CHAU THI

ART UNIT

PAPER NUMBER

1724

DATE MAILED: 02/18/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/974,066</b>	Applicant(s) <b>POWELL</b>
Examiner <b>PHAM</b>	Group Art Unit <b>1724</b>

*—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—*

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

*Pre-Grant A*

Responsive to communication(s) filed on 09/03/02

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213.

### Disposition of Claims

Claim(s) 1, 6-10, 13-17 and 19 is/are pending in the application.

Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1, 6-10, 13-17 and 19 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

### Application Papers

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

All  Some\*  None of the:

Certified copies of the priority documents have been received.

Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

Copies of the certified copies of the priority documents have been received  
in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). 3  Interview Summary, PTO-413

Notice of Reference(s) Cited, PTO-892  Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

## Office Action Summary

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***Specification***

1. The abstract of the disclosure is objected to because legal phraseology “comprises” is used in the abstract. Correction is required. See MPEP § 608.01(b).

2.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 6-10, 13-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by either Lefkowitz et al (4,181,514; 1-4 in Fig. 7; col. 3, line 54 through col. 4, line 18; col. 4, line 64 through col. 5, line 14) or Giacovas (4,004,899; 1 & 2 in Figs. 1-3; col. 1, lines 25-44; col. 2, lines 52-67).

Either Lefkowitz et al or Giacovas teaches an air filter comprising a pleated filter support having support members and each support member spaced from an adjacent support member to at least partially form a pleated shape, and a filter at least partially supported by support members wherein the pleated filter support comprises a plurality of posts in at least a partially annular form. Either Lefkowitz et al or Giacovas further teaches the filter medium can be glued or bonded by

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adhesive in order to assure the holding of the filter medium within the pleats of the support member. Giacovas also teaches an air filter housing with air flowing through the filter housing in a first direction, a pleated filter support operatively connected to the filter housing having support members spaced from an adjacent support member in a pleated shape and a filter supported by support members. Either Lefkowitz et al or Giacovas further teaches a method of manufacturing an air filter comprising the steps of arranging a plurality of posts into pleats, forming the pleats into a partially annular form, adhering a filter to the pleats, and sealing the filter to the support.

*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Shary et al (5,049,172) disclose a resistant filter.
- Choi (5,744,036) discloses a pleated filter arrangement.
- Stevens et al (3,026,967) disclose an air filter.
- Schaeffer (4,488,966) discloses a filter pleat support means.
- Huer et al (3,679,537) disclose a packing elements.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau Pham whose telephone number is (703) 308-1605. The examiner can normally be reached on Monday-Friday (except Wednesday) from 7:15 a.m. to

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5:45 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. David Simmons, can be reached on (703) 308-1972. The fax phone number for this Group is (703) 872-9310 (non-finals) or (703) 872-9311 (after-finals).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.



**Minh-Chau Pham**

**Patent Examiner**

February 11, 2003